

***United States Court of Appeals
for the Second Circuit***



APPENDIX

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

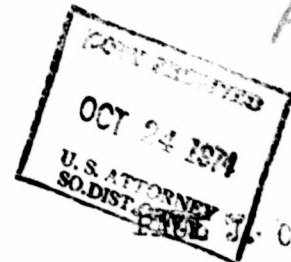
Plaintiff-appellee,

-against-

PUI LEONG LAM,

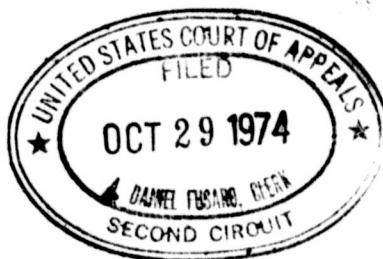
Defendant-appellant.

74-2049



APPENDIX

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appellant
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UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-appellee,

--against--

PUI LEONG LAM,

Defendant-appellant.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
NEW YORK

CASE NO. 74 Cr. 312

JUDGE F. van P. BRYAN

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JUDGE BRYAN

74 CRIM. 312

C. Form No. 100
CRIMINAL DOCKET

TITLE OF CASE		ATTORNEYS
THE UNITED STATES		For U.S.:
vs.		Barbara A. Rowan, AUSA
✓ PUI LEONG LAM	6-27-74	264-6436
✓ PUI KAM LAM	5-7-74	
		For Defendant:

ABSTRACT OF COSTS	AMOUNT	CASH RECEIVED AND DISBURSED			
		DATE	NAME	RECEIVED	DISBURSED
(07)					
Fine,		7/1/74	Balance	✓	
Clerk,		7/1/74	fees		
Marshal,					
Attorney,					
Commissioner's Court, 21					
Witnesses, 846, 812, 841 (a) (1), (b)					
Consp. to viol. Fed. Narcotic Laws (Ct. 1)					
Distr. & possess. w/intent to distr.					
Heroin, I. (Ct 2)					
(Two Counts)					

DATE	PROCEEDINGS
3-28-74	Filed indictment.
4-8-74	Defts present without atty-Court directs a plea of not guilty, interpret Laura Ho Suan. 10 days for motions, cas assigned to Judge Bryan. Defts Remanded to Tenney, J.
4-10-74	PUI LEONG LAM - Filed Affidavit for Writ of Habeas Corpus Ad Prosequendum.
4-10-74	PUI KAM LAM - Filed Affidavit for Writ of Habeas Corpus Ad Prosequendum.
4-19-74	TIM LOK Filed Affidavit for Writ of Habeas Corpus Ad Testificandum
4-19-74	GUAN CHOW TOK - Filed Affidavit for Writ of Habeas Corpus Ad Testificandum

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DATE	PROCEEDINGS	CLERK'S FEES	
		PLAINTIFF	DEFENSE
	PUI LEONG LAM -		
4-22-74	Filed Notice of Motion for an order directing U.S. atty. to disclose the identity whereabouts of its informant etc.		
4-22-74	Filed Financial Affidavit for Pui Kam Lam		
4-22-74	Filed Financial Affidavit for Pui Leong Lam		
4-22-74	Filed CJA 21 Approving payment of Transcript, by Arnold Li, 622 W. 114 St., N.Y. original mailed to A.O. Wash. D.C.		
4-22-74	Filed CJA 21 Approving payment for Transcript to S.D. Court Reporters, Original mailed to A.O. Wash. D.C.		
4-25-74	Filed Affidavit for Writ of Habeas Corpus Ad Prosequendum Issue. (PUI KAM LAM)		
4-26-74	CHIU, CHUN YIN - Filed Affidavit for Writ of Habeas Corpus ad Testificandum		
4-30-74	Filed CJA 21 Authorization approving payment for Transcript from Southern District Reporters -- Bryan, J. (orig. mailed to A.O. Wash. D.C.)		
5-7-74	PUI LEONG LAM - Filed Waiver of Trial		
5-7-74	SERMONS HEARING FIRST - Then Non-Jury Trial began DEFT'S. PUI LEONG LAM and PUI KAM LAM present with their attys. David Blackstone & Barry Agolnick plus their interpreter Arnold Li. Government moves to dismiss from Indictment, the TWO COUNTS contained therein against PUI KAM LAM. MOTION GRANTED - Trial proceeds against Deft. Pui Leong Lam.		
5-8-74	TRIAL CONTINUES. Govt. Rest, Deft. Rest. Court adjourned until 2:15 p.m. 5/9/74 for summations. Deft. PUI LEONG LAM		
5-9-74	TRIAL CONTINUED AND CONCLUDED. Court finds the Deft. GUILTY on COUNT ONE AND (COUNT NOT GUILTY) to be sentenced 6/20/74 at 10:A.M. - Bryan, J.		
5-10-74	PUI LEONG LAM - Filed CJA 21 Authorization for Transcript S.D.N.Y. Court Reporters, original mailed AO Wash. D.C. - Bryan, J.		
5-10-74	PUI LEONG LAM - Filed CJA 21 Authorization for Transcript, S.D. Court Reporters, original mailed AO Wash. D.C. - Bryan, J.		
5-14-74	PUI KAM LAM - Filed Writ of Habeas Corpus Ad Prosequendum Issue with Marshal's return dtd. 4/23/74.		
5-14-74	Filed CJA 21 Authorization of Arnold Li, 622 W. 114th St. N.Y. (Interpreter) - Bryan, J.		
5-14-74	Filed CJA 21 copy of Authorization approving payment on the above - BRYAN, J. Original mailed A.O. Wash. D.C.		

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U.S.A. v. PUI KAM LAM ETC. BRYAN, J.

74 Cr. 312

DATE	PROCEEDINGS
5-14-74	PUI KAM LAM - Filed CJA 20 Appointment of Barry Agumick atty. 32 Court Brooklyn, N (original mailed to AO Wash.D.C.) Bryan, J.
5-14-74	PUI LEONG LAM - Filed CJA 21 Authorization of Arnold Li, 622 W. 114th St. N.Y. Inter (original mailed to A.O. Wash.D.C. Bryan J.
5-17-74	PUI LEONG LAM - Filed ORDER -- that the services of an interpreter are necessary assist the Probation Officer to interview deft., It is ordered--that Kit Fong b engaged as interpreter for a fee not to exceed \$30.00 conferred by Rule 28(b) o F.R.C.P.
5-16-74	PUI KAM LAM - Filed Writ of Habeas corpus Ad Prosequendum w/ Marshal's return Writ satisfied-Bryan, J.
6-27-74	LAM, PUI LEONG - Filed Judgment (atty present) It is adjudged that the defendant hereby committed to the custody of the Attorney General or his authorized repr tive for imprisonment for a period of EIGHT (8) YEARS and SIX (6) MONTHS in pr to be followed by a Special Parole of THREE (3) YEARS to commence upon expirat his confinement, pursuant to the provisions of Title 21, Section 841, United S Code. Sentence is to run concurrently with the sentence imposed on 1/26/73 in the United States District Court for the Eastern District of New York (Rosling, in the case of U.S. v. Pui Kam Lam (72 Cr. 852) Bryan, J. (copies issued)
6-26-74	LAM - Filed CJA 21 Authorization of Laura Ho Interpreter 45 Christopher St. N.Y. BRYAN, J. (original mailed AO Wash D.C.)
6-26-74	LAM - Filed Copy of CJA 21 approving payment on the above
Jun-27-74	LAM, Pui Leong - Filed RECEIVED JUDGMENT that the defendant is here committed to the custody of the Atty. Gen'l or his authorized representative for imprisonment for a period of EIGHT (8) YEARS in prison, to be followed by a SPECIAL PAROLE of THREE (3) YEAR to commence upon expiration of his confinement, pursuant to the provisions of Title 21, Section 841, U.S. Code. Sentence is to run concurrently with the sentence imposed on January 26, 1973 the US District Court for the E.D. of NY (Rosling, J.) in hte c of United States v. Pui Kam Lam (72 Cr. 852) - Bryan, J. -- copi issued.
Jul- 5-74	LAM, Pui Leong - Filed deft's affdvt. and notice of motion for reduction of sentence - ret. (no date)
Jul- 5-74	LAM, Pui Leong - Filed memo endorsed on above motion: The motion f reduction of sentence will be granted to the extent that senten will be reduced to a term of imprisonment of eight years, plus years special parole. This sentence is also to run conc. with the sentence previously imposed in the E.D. It is so ordered - Bryan, J. m/n
Jul- 3-74	LAM, Pui Leong - Filed commitment & entered return, E.D. of NY to Fe Detention Headquarters, NYC on 6-27-74
Jul- 18-74	P.L. LAM: Filed Warrant of Arrest with Marshall's return dated 3-28-74.

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DATE	PROCEEDINGS
7-18-74	Filed Commitment
JUL 2-74	Filed Writ of H/C directed to Warden, Fed. Penitentiary Lewisburg. Writ satisfied 6-27-74..Bryan, J.
7-26-74	Filed Notice of Appeal from the Judgment of Conviction of 6/27/74 (m/n)
VI-30-74	STIPULATION OF SUBSTITUTION OF ATTORNEYS
JUL 26-74	FILED TRANSCRIPT OF PROCEEDINGS MAY 7, 8, 9, 1974

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-x 74 CRIM. 312

UNITED STATES OF AMERICA,

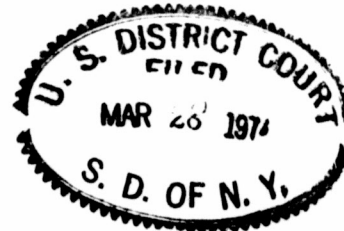
-v-

INDICTMENT

74 Cr.

PUI LEONG LAM and
PUI KAN LAM,

Defendants.



The Grand Jury charges:

1. From on or about the 1st day of January 1972 and continuously thereafter up to and including 22nd day of August 1972, in the Southern District of New York, PUI LEONG LAM and PUI KAN LAM, named as defendants and Wong, Tang Ching, Tim Lok and Guan Chow Tok, a/k/a Woo Gai Check and Hong Loi Cheng, named as co-conspirators but not as defendants and others to the Grand Jury unknown, unlawfully, intentionally and knowingly combined, conspired, confederated and agreed together and with each other to violate Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said defendants unlawfully, intentionally and knowingly would distribute and possess with intent to distribute Schedule I and II narcotic drug controlled substances the exact amount thereof being to the Grand Jury unknown in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

MICROFILM

MAR 29 1974

BAR:par

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York:

1. In or about the final week of April 1972 PUI LEONG LAM had a conversation with Guan Chow Tok
2. On or about May 3, 1972 PUI LEONG LAM and PUI KAN LAM, met with Special Agent Lowery Leong and had a conversation
3. On or about May 10, 1972 PUI LEONG LAM met with Guan Chow Tok
4. On or about May 13, 1972 Guan Chow Tok delivered \$15,000 to PUI LEONG LAM.
5. On or about May 18, 1972 Guan Chow Tok sold to Special Agent Lowery Leong 1 pound of heroin.
6. On or about May 18, 1972 Guan Chow Tok delivered \$5,000 to PUI LEONG LAM.

(Title 21 United States Code Section 846)

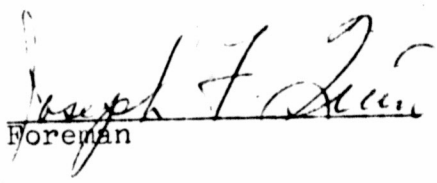
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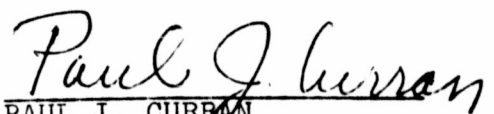
SECOND COUNT

The Grand Jury further charges:

On or about the 18th day of May 1972 in the Southern District of New York, PUI LEONG LAM and PUI KAN LAM, the defendants, unlawfully, wilfully and knowingly did aid and abet the distribution and possession with intent to distribute a Schedule I narcotic drug controlled substance, to wit, approximately 1 pound of heroin hydrochloride.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A), Title 18 United States Code Section 2.)


Foreman


PAUL J. CURREN
United States Attorney

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-appellee,

--against--

PUI LEONG LAM,

Defendant-appellant

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF
NEW YORK

CASE NO. 74 Cr. 312

JUDGE F. van P. BRYAN

1st Supplemental Record

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